

RECEIVED AND FILED
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N.J. BOARD OF DENTISTRY
ON 8-22-12 *cm*

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

IN THE MATTER OF)	
)	Administrative Action
LIANA BASCEANU-SARBU, D.D.S.)	
License No. 22DI 01842600)	
LICENSED TO PRACTICE DENTISTRY)	ORDER REINSTATING
IN THE STATE OF NEW JERSEY)	LICENSE WITH RESTRICTIONS
)	

The New Jersey State Board of Dentistry has reviewed the application of Liana Basceanu-Sarbu, D.D.S. ("Dr. Basceanu-Sarbu" or "respondent"), seeking to reinstate her license to practice dentistry. Respondent voluntarily surrendered her license by order entered on May 23, 2011, following the Board's receipt of information that she had used nitrous oxide for a non-dental or medical purpose.

She appeared before the Board on April 18, 2012, with Ernest Badway, Esq., and Edward Reading, Ph.D., from the Professional Assistance Program of New Jersey (PAP). In support of her application to reinstate her license, Dr. Basceanu-Sarbu submitted a report from the PAP dated March 22, 2012 and its Position Statement

recommending reinstatement with restrictions dated April 18, 2012. During her appearance, Dr. Basceanu-Sarbu discussed the facts underlying her surrender of license and her treatment.

Based upon the record and her testimony, the Board has determined that Dr. Basceanu-Sarbu's return to practice with restrictions is appropriate at this time. The terms imposed by this order are designed to ensure that as she reenters practice in this State, respondent's practice is consistent with the public health, safety and welfare.

IT IS, THEREFORE, ON THIS 16th DAY OF August, 2012,

HEREBY ORDERED AND AGREED THAT:

1. The license of Liana Basceanu-Sarbu, D.D.S., to practice dentistry in this State is reinstated, subject to the terms in this order. Dr. Basceanu-Sarbu shall comply with all administrative issues related to reinstatement, including payment of applicable fees for her license.
2. Respondent shall not possess or maintain nitrous oxide in her office or any other location to which she has access.
3. Respondent shall abstain from the use of alcohol and from all psychoactive substances, unless prescribed by a treating physician for a documented medical condition, with prior notification to the Executive Medical Director of the PAP of the diagnosis and any prescribed medications. In addition, respondent shall advise any and all treating physicians and/or dentists of her history of nitrous oxide abuse.
4. Respondent shall continue her participation with the Professional Assistance Program (PAP) and shall comply with all recommendations for treatment, including but not limited to:

(a) monthly face-to-face contact with a clinical staff member from that program for the first year following entry of this order, followed by visits every other month for the second year of return to practice, and thereafter at the direction of the Executive Medical Director of the PAP;

(b) attendance at Twelve Step self-help group meetings at a minimum of two times per week;

(c) random urine monitoring weekly for the first year of her return to practice, and then at a frequency to be determined by the Executive Medical Director of the PAP, consistent with her duration in recovery;

(d) continued individual counseling on a monthly basis and medication management with Dr. Sonya Gray. Reduction in frequency of counseling sessions may be determined by Dr. Gray in consultation with the Executive Medical Director of the PAP. If respondent changes the provider of counseling, she shall notify the Board and the PAP within seven days of the change;

(e) continued participation in group therapy on a weekly basis with Dr. Arnold Washton. Reduction in frequency of group therapy sessions may be determined by Dr. Washton in consultation with the Executive Medical Director of the PAP.

5. If respondent discontinues participation with the PAP or fails to comply with the conditions imposed by the program or outlined in this consent order without obtaining approval of the Board and the PAP, she shall be deemed in violation of this Order.

6. The PAP shall submit quarterly reports, including urine results, to the Board regarding respondent's participation and compliance with all requirements of the

PAP and this order. If respondent has a positive urine, misses an appointment without consent, or has a lapse or slip in her recovery, or if respondent terminates recommended counseling or her participation with the PAP, the PAP shall immediately inform the Board. For purposes of this paragraph, "immediately" shall mean reporting the information orally within 24 hours and following up with a written report within 48 hours.

7. (a) Any failure by respondent to submit or provide a urine sample within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from the PAP. Respondent shall notify the PAP if she will be out of the State for any reason, so that the program may make a determination regarding alternate testing.

(b) Any urine test result showing creatinine levels below 20 mg/dL and a specific gravity below 1.003 shall create a rebuttable presumption of a confirmed positive urine test. Any such result shall be followed immediately by a confirming GC/MS test.

(c) Respondent shall familiarize herself with all foods, food additives or other products (such as poppy seeds) that may affect the validity of urine screens, be presumed to possess that knowledge, and shall refrain from the use of such substances. Ingestion of such substances shall not be an acceptable reason for a positive urine screen and/or failure to comply with the urine monitoring program.

(d) The PAP may, after notifying the Board, modify the frequency of

testing or method of testing during the monitoring period.

8. Respondent shall provide any and all releases to any and all parties who are participating in a monitoring, treatment, or other program as outlined in this order, as may be required in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner. Respondent agrees that any information received by the Board regarding respondent's treatment or participation in a monitoring program may be used in connection with any proceedings pertaining to her license.

9. (a) Respondent shall be subject to an order of automatic suspension of her license upon the Board's receipt of any information which the Board, in its sole discretion, deems reliable demonstrating that respondent has failed to comply with any of the conditions set forth in this consent order, including but not limited to report of a confirmed positive urine, or a prima facie showing of use of alcohol or drugs.

(b) Respondent shall have a right to apply for removal of the automatic suspension on ten (10) days notice to the Board and to the Attorney General. The Board may hold a hearing on that application before the full Board or before a committee of the Board. In the event a committee hears the application, its action shall be effective immediately and subject to ratification of the full Board at its next scheduled meeting. In a hearing seeking removal of the automatic suspension, any confirmed positive urine shall be presumed valid.

10. Nothing in this order shall be deemed to preclude the Board from taking any action it deems appropriate should the Board's review of information cause it to determine that such action is warranted or from imposing restrictions or conditions on

respondent's license should the Board determine that such restrictions or conditions are appropriate to protect the public health, safety, and welfare.

11. Respondent may seek modification of the terms of this order not sooner than six (6) months from the date of its entry. The Board reserves the right to require respondent's appearance prior to any modification or removal of restrictions set forth in this Consent Order.

NEW JERSEY STATE BOARD OF DENTISTRY

By: Herbert B. Dolinsky D.D.S.
Herbert Dolinsky, D.D.S.
President

I have read and understand this Consent Order and agree to be bound by its terms. I consent to the entry of this Order.

Liana Basceanu-Sarbu 7/20/12
Liana Basceanu-Sarbu, D.D.S. Date

I consent to the form and entry of this order.

Ernest Badway, Esq. _____
Counsel for Dr. Liana Basceanu-Sarbu Date

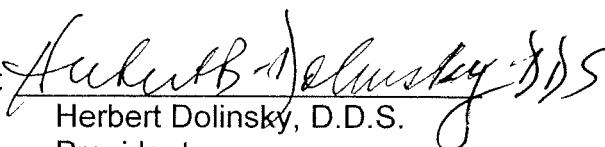
I have read the terms of this consent order and agree on behalf of the Professional Assistance Program to comply with its terms pertaining to the Professional Assistance Program.

Louis E. Baxter, M.D. 7/18/12
Louis E. Baxter, M.D. Date

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NEW JERSEY STATE BOARD OF DENTISTRY

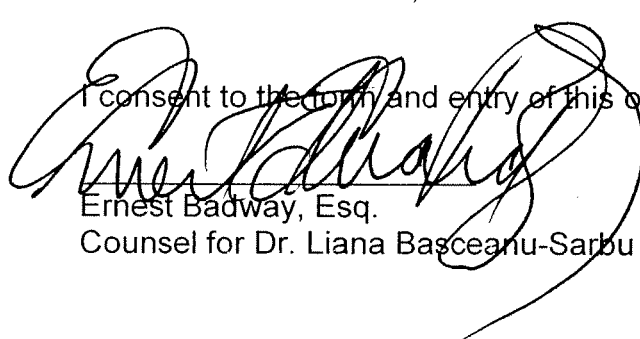
By: 
Herbert Dolinsky, D.D.S.
President

I have read and understand this Consent Order and agree to be bound by its terms. I consent to the entry of this Order.

Liana Basceanu-Sarbu, D.D.S.

Date

I consent to the form and entry of this order.


Ernest Badway, Esq.
Counsel for Dr. Liana Basceanu-Sarbu

8/9/12
Date

I have read the terms of this consent order and agree on behalf of the Professional Assistance Program to comply with its terms pertaining to the Professional Assistance Program.

Louis E. Baxter, M.D.

Date